

Agricultural Marketing Service, USDA

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AUTHORITY: 7 U.S.C. 601–674.

SOURCE: 27 FR 8101, Aug. 15, 1962, unless otherwise noted.

Subpart—Order Regulating Handling

DEFINITIONS

§ 929.1 Secretary.

Secretary means the Secretary of Agriculture of the United States, or any officer or employee of the United States Department of Agriculture to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

§ 929.2 Act.

Act means Public Act No. 10, 73d Congress (May 12, 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674).

§ 929.3 Person.

Person means an individual, partnership, corporation, association, or any other business unit.

§ 929.4 Production area.

Production area means the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York.

§ 929.5 Cranberries.

Cranberries means all varieties of the fruit *Vaccinium Macrocarpon*, known as cranberries, grown in the production area.

§ 929.6 Fiscal period.

Fiscal period is synonymous with *fiscal year* and *crop year* and means the 12-month period beginning September 1 of 1 year and ending August 31 of the following year.

[33 FR 11640, Aug. 16, 1968]

§ 929.7 Committee.

Committee means the Cranberry Marketing Committee established pursuant to § 929.20.

§ 929.8 Grower.

Grower is synonymous with producer and means any person who produces

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cranberries for market and who has a proprietary interest therein.

§ 929.9 Handler.

Handler means any person who handles cranberries.

§ 929.10 Handle.

(a) *Handle* means:

(1) To can, freeze, or dehydrate cranberries within the production area or;

(2) To sell, consign, deliver, or transport (except as a common or contract carrier of cranberries owned by another person) fresh cranberries or in any other way to place fresh cranberries in the current of commerce within the production area or between the production area and any point outside thereof in the United States or Canada.

(b) The term handle shall not include:

(1) The sale of non harvested cranberries;

(2) The delivery of cranberries by the grower thereof to a handler having packing or processing facilities located within the production area;

(3) The transportation of cranberries from the bog where grown to a packing or processing facility located within the production area; or

(4) the cold storage or freezing of excess cranberries for the purpose of temporary storage during periods when an annual allotment percentage is in effect prior to their disposal, pursuant to § 929.59.

[57 FR 38748, Aug. 27, 1992]

§ 929.11 To can, freeze, or dehydrate.

To can, freeze, or dehydrate means to convert cranberries into canned, frozen, or dehydrated cranberries or other cranberry products by any commercial process.

§ 929.12 Acquire.

Acquire means to obtain cranberries by any means whatsoever for the purpose of handling such cranberries.

§ 929.13 Sales history.

Sales History means the number of barrels of cranberries established for a grower by the committee pursuant to § 929.48.

[57 FR 38748, Aug. 27, 1992]

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§ 929.14 Marketable quantity.

Marketable quantity means for a crop year the number of pounds of cranberries necessary to meet the total market demand and to provide for an adequate carryover.

[33 FR 11640, Aug. 16, 1968]

§ 929.15 Annual allotment.

A grower's annual allotment for a particular crop year is the number of barrels of cranberries determined by multiplying such grower's sales history by the allotment percentage established pursuant to § 929.49 for such crop year.

[57 FR 38748, Aug. 27, 1992]

§ 929.17 Barrel.

Barrel means a quantity of cranberries equivalent to 100 pounds of cranberries.

[57 FR 38748, Aug. 27, 1992]

ADMINISTRATIVE BODY

§ 929.20 Establishment and membership.

There is hereby established a Cranberry Marketing Committee consisting of seven members, each of whom shall have an alternate. Except as hereafter provided, members and their alternates shall be growers or employees, agents, or duly authorized representatives of growers. Persons filling grower positions may be referred to as industry members. The committee may be increased by one public member and alternate nominated by the committee and selected by the Secretary. The public member and alternate shall be neither a grower nor a handler. Persons filling these positions may be referred to as non-industry members. The committee, with the approval of the Secretary, shall prescribe qualifications and the procedure for nominating the public member. Each of the following subdivisions of the production area shall be represented by at least one member and one alternate member, each of whom shall be a grower, or an employee, agent, or duly authorized representative of a grower, in the designated district of the production area: